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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/791,359	03/02/2004	Kenneth Roger Jones	1033-MS1024	8966

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EXAMINER

BOKHARI, SYED M

ART UNIT	PAPER NUMBER
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2609

MAIL DATE	DELIVERY MODE
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07/09/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/791,359

Applicant(s)

JONES ET AL.

Examiner

Syed Bokhari

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) _____ is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 14, 15, 20-22, 24, 29 and 32 is/are rejected.
- 7) ☒ Claim(s) 5-13, 16-19, 23, 25-28 and 30-31 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application
- ☐ Other: _____

DETAILED ACTION

Specification

1. The abstract of the disclosure is objected to because of the phrase "disclosed for indicating network connectivity" in line 1 and "disclosure may include" in line 3. Correction is required. See MPEP § 608.01(b).
2. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

Claim Objections

3. Claim 13 and 25-28 are objected to under 37 CFR 1.75(c), because of the following informalities:

For claim 13 line 2, the occurrence of "a modem device" refers back to "modem device" previously cited in line 1 of claim 12, if is true, it is suggested to applicant to change "a modem device" to --the modem device--.

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For claim 25, the occurrence of "a communication network node" (line 2), "a subscriber" (line 4) and "an identification of the device" should be changed to --the communication network node--, --the subscriber-- and --the identification of the device-- respectively.

For claim 26, the occurrence of "a broadband link" (line 2), "a communication network node" (line 2), "a subscriber" (line 4) and "an identification of the device" should be changed to --the broadband link--, -- the subscriber-- and --the identification of the device-- respectively.

For claim 27, the occurrence of "a broad link" (line 2), "a communication network node", (line 2), "a subscriber" (line 4) and " an identification of the device" (line 5) should be changed to --the communication network node--, --the subscriber—and --the identification of the device—respectively.

For claim 28, the occurrence of "a communication network node", (line 2), "a subscriber" (line 4) and " an identification of the device" (line 5) should be changed to --the communication network node--, --the subscriber—and --the identification of the device—respectively.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35

U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or
(2) a patent granted on an application for patent by another filed in the United States before

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the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claim 1-4, 7, 14-15, 20-22, 24, 29 and 32 are rejected under 35

U.S.C. 102(e) as being anticipated by Jones et al. (US 2005/0033853).

For claim 1, Jones et al. discloses a method of identifying a device , comprising (see Abstract lines 1-3); receiving a request to establish a Point to Point Protocol over Ethernet (PPPoE) session on behalf of a Local Area Network (LAN) side device (see paragraph 0008 lines 9-16 on page 1 in Summary); outputting a PPPoE discovery stage packet that comprises a tag identifying the LAN side device (see paragraph 0009 lines 1-5 on page 1 in Summary); receiving a different request to establish a different PPPoE session on behalf of a different LAN side device (see paragraph 0022 lines 1-3 on page 2 in Description of the Drawing and paragraph 0008 lines 9-16 on page 1 in Summary) and outputting a different PPPoE discovery stage packet that comprises a different tag identifying the different LAN side device (see paragraph 0022 lines 1-3 on page 2 in Description of the Drawings and paragraph 0009 lines 1-5 on page 1 in Summary).

For claim 2, Jones et al. discloses wherein the PPPoE discovery stage packet comprises a PPPoE Active Discovery Initiation packet (see paragraph 0030 lines 8-10 on page 2 in Description of the Drawings)

For claim 3, Jones et al. discloses, further comprising receiving an access concentrator packet responsive to the PPPoE discovery stage packet, the access concentrator packet comprising the tag (see paragraph 0032 lines 1-2 on page 2 and lines 3-10 on page 3 in Description of the Drawings).

For claim 4, Jones et al. discloses further comprising: recognizing the tag in the access concentrator packet; and communicating the access concentrator tag to the LAN side device (see paragraph 0031 lines 1-3 on page 2 in Description of the Drawings).

For claim 7, Jones et al. discloses wherein the tag complies with a Host-Uniq TAG construct described in IETF RFC 2516 (see paragraph 0008 lines 7-9 page 1 in Summary).

For claim 14, Jones et al. discloses a device identification system, comprising (see Abstract lines 1-3); an access concentrator having a computing platform and an interface operable to facilitate a communicative coupling of a plurality of remote devices to the computing platform (see paragraph 0028 lines 4-11 on page 2 in Description of the Drawings); a second interface communicatively coupled to the computing platform (see paragraph 0027 lines 1-4 on page 2 in Description of the Drawings); and operable to facilitate an outputting of a collection of information representing a PPP session of a first of the plurality of remote devices and a different PPP session of a different one of the plurality of remote devices

(see paragraph 0022 lines 4-11 on page 2 in Description of the Drawings) and a Local Area Network (LAN) engine communicatively coupled to the interface and configured to recognize an identification tag in a packet included in a discovery stage of the PPP session, the identification tag identifying a subscriber LAN device communicating the packet via the first of the plurality of remote devices (see paragraph 0012 lines 1-10 on page 2 in Summary).

For claim 15, Jones et al. discloses wherein the tag complies with a Host-Uniq TAG construct described in IETF RFC 2516 (see paragraph 0008 lines 7-9 page 1 in Summary).

For claim 20, Jones et al. discloses further comprising a Broadband Remote Access Server communicatively coupled to the LAN engine (see paragraph 0027 lines 1-4 on page 2 in Description of the Drawings) and operable to maintain information representing the subscriber LAN device (see paragraph 0022 lines 7-11 on page 1 in Description of the Drawings).

For claim 21, Jones et al. discloses a method of identifying remote devices comprising (see paragraph 0008 lines 1-3 on page 1 in Summary); receiving a PPPoE packet from a remote node (see paragraph 0012 lines 2-5 on page 1 in Summary); recognizing that the PPPoE packet comprises a tag including information associated with a device communicating via

the remote node (see paragraph 0012 lines 5-10 on page 1 in Summary); receiving another PPPoE packet from the remote node (see paragraph 0008 lines 9-16 on page 1 in Summary) and recognizing that the other PPPoE packet comprises a different tag including other information associated with a different device communicating via the remote node (see paragraph 0009 lines 1-5 on page 1 in Summary).

For claim 22, Jones et al. discloses further comprising: associating the remote node with a subscriber; and maintaining subscriber information comprising an identification of the device and the different device (see paragraph 0032 lines 12 on page 2 and lines 3-10 on page 3 in Description of the Drawings).

For claim 24, Jones et al. discloses wherein the PPPoE packet comprises a PPPoE Active Discovery Initiation (PADI) packet (see paragraph 0008 lines 3-7 on page 1 in Summary).

For claim 29, Jones et al. discloses wherein the communication network node comprises a Broadband Remote Access Server (see paragraph 0027 lines 1-4 on page 2 in Description of the Drawings).

For claim 31, Jones et al. discloses wherein the tag comprises a sixteen-bit tag (see paragraph 0040 lines 1-2 on page 3 in Description of the Drawings).

For claim 32, Jones et al. discloses wherein the tag complies with a Host-Uniq TAG construct described in IETF RFC 2516 (see paragraph 0008 lines 7-9 page 1 in Summary).

Allowable Subject Matter

6. Claims 5-6, 8-13, 16-19, 23, 25-28 and 30-31 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
7. Claims 13 and 25-28 would be allowable if written to overcome the objection Under 37 CFR 1.75 set forth in this office.

Conclusion

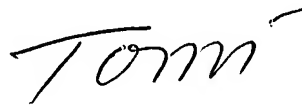
8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US 2001/0030977 A1 (May), US 2005/0058143 A1 (Kikuchi et al.), US 2005/0110618 A1 (Creff et al.), US 2004/0213252 A1 (Lee et al.) and US 2003/0018753 A1 (Seki).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Syed Bokhari whose telephone number is (571) 270-3115. The examiner can normally be reached on Monday through Friday from 7:30 AM to 5:00 PM EST.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dang Ton can be reached on (571) 272-3171. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

A handwritten signature in black ink, appearing to read 'Tom' with a stylized flourish at the end.

DANG T. TON
SUPERVISORY PATENT EXAMINER